

### **REMARKS**

Claims 27, 29, 31-36, 39-45, and 47-60 remain pending in the application. Except for a single sentence at page 3 of the Office Action, the various grounds of rejection and their supporting assertions are identical to those presented in the March 5, 2009 Office Action. Therefore, Applicants reiterate all bases for traversing the rejections set forth in their August 5, 2009 Response to that Office Action and request that they be withdrawn. (The sole difference between the two sentences is of no consequence.)

Regarding Applicants' repeated explanation that Sobolev emphasizes the uniform and/or even application of the resin/reinforcement, such that one of skill in the art would not have been led to modify the geometric manner in which the resin/reinforcement is applied in Sobolev, the Examiner asserts at page 2 of the Office Action that

Sobolev teaches that the resins or polymers used to form the core between the metal sheets of the structural laminate can be any desired type of resin having a desired curing mechanism which will provide the overall strength properties appropriate for use; the strength of the structural laminate of the present invention is provided in part by the strength properties of the resin used and in part by the bond strength between the resin and the surfaces of the metal sheets. Obviously, in the event the desired characteristics for the laminate are not achieved initially with a particular resin, one skilled in the art will be able to reformulate the resin to adjust the desired properties of the resin or change the surface preparation in order to provide the desired (column 10, line 55 - column 11, line 25).

Applicants respectfully submit that that response does not rebut or even address their argument. Therefore, it is ineffectual and does not support the rejection.

Regarding the nature of Anderson, Mesek, Otomine, and Barnes, the Examiner responds to Applicants' assertion that each of those references is directed to non-analogous art by referring to the specific feature that each of those references is being relied upon to show. That response misses the point of the argument and is based on a misunderstanding of the concept of analogous versus non-analogous art.

As the Examiner recites near the bottom of page 2 of the Office Action (emphasis added), "a prior art reference must either be in the field of applicant's endeavor or, if not, then be **reasonably pertinent** to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention." Similarly, M.P.E.P. §

2141.01(a) instructs (emphasis added) that “a reference in a field different from that of applicant’s endeavor may be reasonably pertinent if it is one which, because of the matter with which it deals, **logically would have commended itself** to an inventor’s attention in considering his or her invention as a whole.” In this case, as Applicants have stressed previously, Anderson relates to making flexible faux leather; Mesek relates to making disposable diapers; Otomine relates to transferring fibers from a backing sheet to clothing by heat and pressure (e.g., iron-on designs); and Barnes relates to coating wire clothes hangers with flock. As such, those references bear no relation to fabricating composite, panel-type structural members with metal and/or ceramic cover sheets, and there is no plausible, logical reason any of those references would have commended itself to one of skill in the art to which the present application pertains. (In a telephone conversation on November 12, the Examiner agreed to reconsider this non-analogous art basis for traversing the various rejections.)

Finally, regarding Applicants’ explanation that during inductive stitch welding the fibers and the foil partially melt and fuse into each other as suggested by the word “welding” and supported by application paragraph [113] (relevant to claims 31 and 32), the Examiner responds that

Applicant directs to paragraph 0113 in the specification to teach inductively heating one metal foil to weld with the fibers, but states that the heating is performed to partially melt two metal parts, or two cover sheets, and fuse into each other. However, claims 31 and 32 disclose fixing fibers onto a cover sheet by inductive stitch welding, and not fixing two cover sheets together.

Applicants submit that the Examiner has misread either the quoted paragraph from the application (113) or Applicant’s rephrasing of the clear import of that paragraph, since the Examiner’s response respectfully does not make sense.

In particular, as Applicants noted, application paragraph [113] states that “[b]y an appropriate selection of the conductivity of the substrate a specific heating of the transition between the first metal foil 1 and the fibers 9 is achieved so that both are welded to each other.” Although the substrate holds the fibers and helps maintain their orientation (see application paragraphs [111] and [112]), as clearly suggested by the term “welded,” the metallic fibers and the metallic foil melt and fuse into each other. Hence, the Examiner’s reference to claims 31 and 32 disclosing fixing fibers onto a cover sheet and not fixing two cover sheets together is

confusing and does not rebut Applicants' explanation. (In the November 12 telephone conversation, the Examiner agreed to reconsider this basis for traversing the rejection of claims 31 and 32 as well.)

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance, and timely Notice to that effect is respectfully requested.

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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 7589.207.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

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Respectfully submitted,

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